

REMARKS

A Request for Continued Examination is being filed concurrently herewith.

Before entry of the present amendment, claims 1-6, 8-10, 12, and 14-17 are pending in the application, of which claims 1 and 8 are independent. Claims 1-6, 8-10, 12, and 14-17 have been rejected by the Examiner in an Advisory Action dated 26 March 2004.

New claims 18-21, of which claim 18 is independent, are added to the application by the present amendment.

In the Advisory Action dated 26 March 2004, the Examiner indicated that the amendments to claims 1 and 8, filed in a supplemental amendment on 25 February 2004, had been entered into the application. These amendments recited features wherein the conductive clamp is a unitary member, is flexible, and is formed of electrically conductive resin. In the same Advisory Action, dated 26 March 2004, the Examiner indicated that the amendments were not sufficient to avoid rejection since limitations of “unitary...flexible...conductive resin” are disclosed by Nakanishi and are well known in the art.

Claims 1 and 8 have been amended herein to more clearly distinguish the inventive clamp from the disclosures of Nakanishi and the related reference JA-04-058683. Specifically, language has been included which recites that the conductive clamp is *“supported by the fuel pipe and the second pipe in such a manner that the conductive clamp is separate and spaced apart from the vehicle body.”* This feature is supported in the specification (page 8, line 25 – page 9, line 10) and in Figure 2, and thus no new matter is introduced by these amendments.

The applicant respectfully asserts that Nakanishi discloses a fastener which is directly

secured to the body panel via stud 6. Further, the related reference JA-04-058683 also discloses mounting slots 5, 5b in Figures 1-3 for securing the device directly to the body panel. This is clearly different from the applicant's invention which is supported in space exclusively by the fuel pipe and the second pipe, as a result of its connection with these elements. Although the applicant's invention is electrically conductive and is designed to transmit charge between the fuel pipe and the second pipe, the applicant's invention does not provide a means for direct discharge to the vehicle body. Rather, discharge occurs from the second pipe at a location which is remote from the applicant's invention, specifically, at the location where the second pipe (brake line) is bracketed to the vehicle.

New claims 18-21 are being added to the application by the present amendment. These claims more clearly define the shape of the applicant's invention as illustrated in Figure 2. The applicant's clamp is generally S-shaped, having opposed curved portions which are fixed to adjacent pipes. This shape is an important feature of the invention since it helps to secure the clamp to the pipes, and prevents the clamp from easily detaching from the pipes. Such detachment occurs when all curved portions are oriented in the same direction, especially during the heavy shocks and vibrations found during vehicle operation. In addition to more clearly defining the shape of the applicant's invention, new claims 19 and 20 further recite the feature of discharging an electrostatic charge at a location that is remote from the conductive clamp. This feature is not disclosed by cited prior art references.

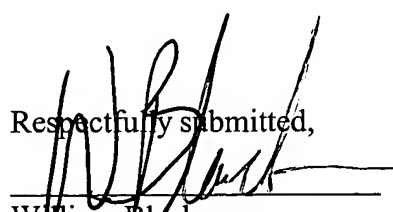
The application is now believed to be in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner is not fully convinced of all of the claims now in the application, applicant respectfully requests that the Examiner telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

Favorable reconsideration is respectfully requested.

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Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail, with appropriate postage thereon, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on May 26, 2004.



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